Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioners herein request a variance to permit a side yard setback of 11 feet in lieu of the required 35 feet for a proposed deck in accordance with Petitioner's Exhibit 2.

The Petitioners, by Michael Sichel, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 4923 Pleasant Grove Road, consists of .2918 acres more or less zoned R.C. 2 and is improved with a single family dwelling. Petitioners are desirous of constructing a 16' x 20' open deck onto the southwest side of the existing iwelling off the kitchen. Mr. Sichel testified he intends to eventually convert the proposed deck to a screened porch. Testimony indicated that due to the location of the dwelling on the lot, the proposed deck would be located 11 feet from the side property line in lieu of the required 35 feet. Petitioner testified there is no access to the rear of the property from the kitchen and that the potential use of the proposed deck as a screened porch will provide additional habitable space. Testimony indicated the variance requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Peti-

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore day of November, 1989 that the Petition for Zoning Variance to permit a side yard setback of 11 feet in lieu of the required 35 feet for a proposed deck in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject, however, to the following restriction:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zonin Towson, Maryland 21204 (301) 887-3353



J. Robert Haines

NOTICE OF HEARING

September 22, 1989

The Zaniry Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as

Petition for Zoning Variance CASE NUMBER: 9D-37-A S/S Pleasant Grove Road, 700' E Old Hanover Road 4923 Pleasant Grove Road 4th Election District - 3rd Councilmanic Petitioner(s): Michael A. Sichel, e. HEARING: UESDAY. NOVEMBER 7, 1989 at 2:00 p.m.

Variance: To permit a side yard setback of 11 ft. in lieu of the required setback of 35 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

(If "PHASE II" of the "SNOW EMERCENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

> ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

> > 90-37-4

CERTIFICATE OF POSTING

Date of Posting 10-18-82 Variance michael a Sichel et ux Location of property: S/S of Pleasant Gran Port, 700' E of Old Transver Brad (4923 Pleasant Grove Korel Location of Signe Can front of 4923 Pleasant Front Proce 10-20 89

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

November 15, 1989



RE: PETITION FOR ZONING VARIANCE S/S Pleasant Grove Road, 700' E of Old Hanover Road (4923 Pleasant Grove Road) 4th Election District - 3rd Councilmanic District Michael A. Sichel, et ux - Petitioners Case No. 90-37-A

Dear Mr. & Mrs. Sichel:

Mr. & Mrs. Michael A. Sichel

Reisterstown, Maryland 21136

4923 Pleasant Grove Road

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event an party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> J. ROBERT HAINES Zoning Commissioner for Baltimore County

cc: People's Counsel

90-37-A CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

	Date of Posting July 17, 1989
District	Date of Posting
Posted for: Variance	
Petitioner: Michael A. Sichel et Location of property: 5/5 Pleasant Grove	Road 700'8 Old Hanorer Road
Location of property: 3/3 Planant Grove Road	<u> </u>
11 (19 2) (1) V	
Location of Signs: In front of 4923 Ple	want grove Krad
Remarks:	0 1, 20 1969
Posted by S.J. Arata Signature	Date of return: July 28, 1989
Number of Signs:	

Baltimore County Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

Mr. & Mrs. Michael A. Sichel



4923 Pleasant Grove Road Reisterstown, Maryland 21136 Petition for Zoning Variance

CASE NUMBER: 90-37-A S/S Pleasant Grove Road, 700' E Old Hanover Road 4923 Pleasant Grove Road 4th Election District - 3rd Councilmanic Petitioner(s): Michael A. Sichel, et ux HEARING SCHEDULED: TUESDAY, AUGUST 8, 1989 at 2:00 p.m.

Dear Petitioners:

Please be advised that \$ 14.05 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)

RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY

UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the

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MORE COUNTY, MARYLAND OF FINANCE - REVENUE DIVISION LLANEOUS CASH RECEIPT	Account: R-001-6150 Number	No 7	217
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PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1401.3, B. 3. AREA REQUIATIONS SET BACK REQUIREMENTS TO PERNUT A. SIDE YARD SETBACK OF IT IN LIEU OF THE REQUIRED CODE SETBALL OF 35 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate matchin or practical difficulty) 1. THERE IS NO MEANS OF EGRESS FROM THE KITCHOU TO THE OUTSIDE. CODE SETBACK PREVENTS THIS SELOND EGRESS. 2. THIS PROPERTY IS LESS THAN ! ACRE AS ARE MANY OTHER EXISTING RESTORNCE IN THIS AREA. ALL RESIDENCE IN THIS AREA ARE ON PRIVATE SEPTICAND WELL.

3. THIS REQUEST WILL NOT IMPACT THE INTENT OF RESOURCE CONSERVATION

R.C. 2 2001NA AS IT WAS SUSBINED INTO LOTE SHAMER THAN LACE

PRIOR TO ADDITION OF THIS BULL.

Prior to be posted and advertised as prescribed by Zoming Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this and further agree to and are to be bound by the zoning regulations and restrictions of a pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. SUZANNE M. SICHEL 4923 PLEASANT GROVE RO. 429-8994 REISTERS TOWN MD 21136 Name, address and phone number of legal owner, contract purchaser or representative to be contacted County, on the 874 day of Juguet, 1989, at 2 o'clock 2. Robert Springe, Levet for 11/2/89 - 20.m. ESTIMATED LENGTH OF HEARING (-1/2HB). AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS -> Est time of Continuation Horring - 15min avail anytime mix 9/8/89

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 20 , 19.89

THE JEFFERSONIAN, s. cere him

PO13728 103 M 31024 ca 90-37-A price \$37.43

Petitioner(s):
Michael A. Sichel, et ux
Hearing Date: Tuesday,
Aug. 8, 1989 at 2:00 p.m. Variance: to permit a side yard setback of 14 ft. in lieu of the required setback of 35 ft. In the event that this Petition is in the event that this Petition is In the event that the Petition in granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Com-missioner will, however, entertain any request for a stay of the le-suance of said permit during this period for good cause shows. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. J. ROBERT HAINES Zoning Commissioner of Baltimore County

The Zaring Commissioner of Battimore County, by survoity of the Zoning Act and Regulations of Battimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, to cated at 111 W. Cheappaske Avenue in Towson, Maryland 2120.

EAST OF OLD HANDVER ROAD, LIBER 6917 FOUR 0429 KNOWN AS 4923 PLEASANT GROVE POAD IN THE 4TH ELECTION DISTRICT. Baltimore County

Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

> Mr. & Mrs. Michael A. Sichel 4923 Pleasant Grove Road Peisterstown, Maryland 21136

ZONING DESCRIPTION

BEGINNING ON THE SOUTH SIDE OF PLEISANT GROVE ROAD APPROXIMATELY IGO FEET WIDE AT A DISTANCE OF 700 FEET

> Re: Petition for Zoning Variance Case number: 90-37-A S/S Pleasant Grove Road, 700' E Old Hanover Road 4th Election District - 3rd Councilmanic Petitioner(s): Michael A. Sichel, etux HEARING: TUESDAY, NOVEMBER 7, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Sichel:

Please be advised that \$ 25.00 is due for reposting of the above-referenced property. DO NOT REMOVE the sign(s) from the property from the time it is posted by this office unit the day of the hearing

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE

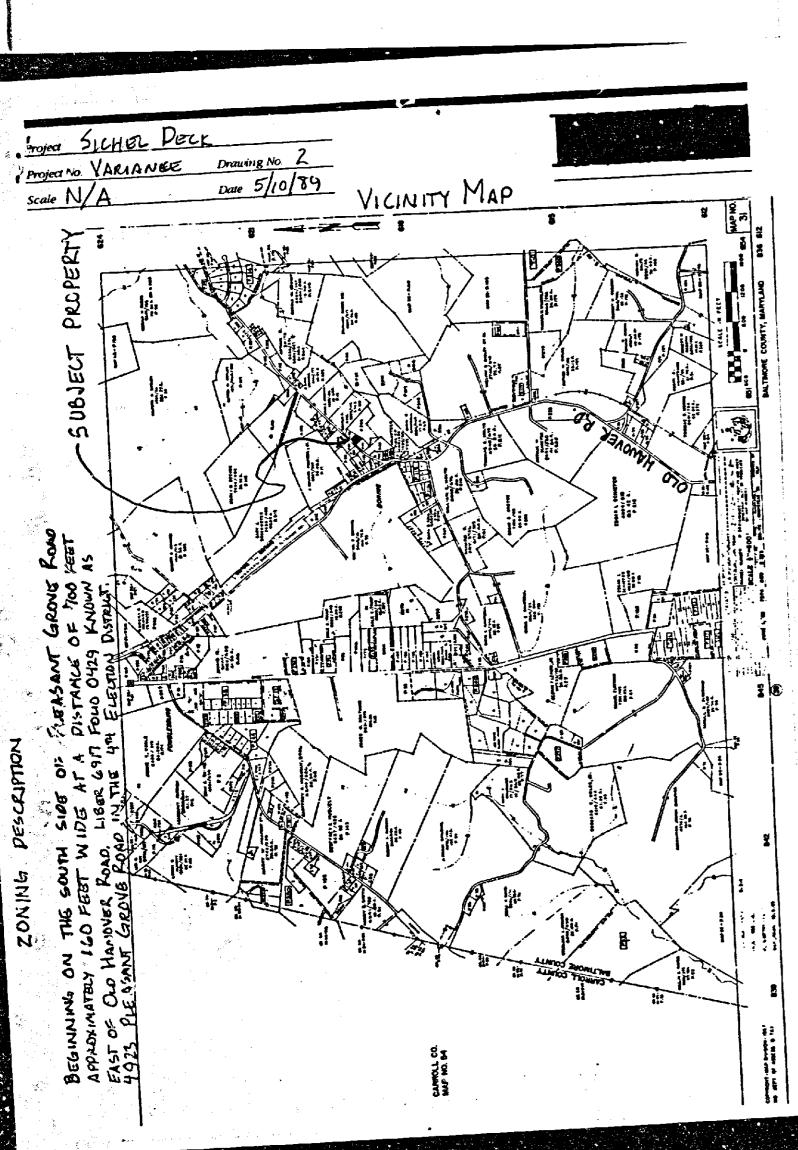
Please bring the sign(s) and post(s) to 111 W. Chesapeake Avenue, Room 111, County Office Building, Towson, Maryland 21204, along with your check made payable to Baltimore County, Maryland on the day of the hearing.

Very truly yours,

J. ROBERT HAINES, ZONING COMMISSIONER of Baltimore County 887-3391

JUL 1

Zoning Commissione Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 I. Robert Haines NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows: Petition for Zoning Variance CASE NUMBER: 90-37-A . S/S Pleasant Grove Road, 700' E Old Hanover Road 4923 Pleasant Grove Road 4th Election District - 3rd Councilmanic Petitioner(s): Michael A. Sichel, et ux HEARING SCHEDULED: TUESDAY, AUGUST B, 1989 at 2:00 p.m. Variance: To permit a side yard setback of 14 ft. in lieu of the required setback of In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. I. ROBERT HAINES ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND cc: Mr. & Mrs. Michael A. Sichel • File VICINITY MAP



HELP WANTED LEGAL NOTICE PELEMA'SKETING P/T, F/T, Anytime! GREAT Pre-School & Day ooking for one really great?
4 E.C.E. teacher, F/T, and one TOP 8 seleny plus commission Benefits negotiable. Honest con rest side with 64 hr. course. 655-3477 RELATIONS - Experienced C, 3655-A, Old Court Rd., #15, REAL ESTATE VISTRATIVE SECRETARY harbor view, 3 BR, 2% bath, laundry, fireplace, loft, 664-0898. NTÁLS WANTED 40 ACRES Southern Colorado, F12,500 total! \$150 down, :120 T STUDIO WANTED - Pikespayments of \$150. 8% interest. Call LEGAL NOTICE 2. Must have sink/toilet & good REAL ESTATE FOR RENT FOR REF Owings Mills, **REGENCY CONDO** home, furt shed or unfurnish-hen & law firy privileges avail-3619 Glengyle Ave., #B-8 Specious, bright decorator's delight. 3 BR, 3 Ba., 2 balconies, den. EGAL NOTICE Lillian Schwartz 358-3885 Hannah Tabor + 484-2111 + EO Int to Baltimore County Code, 1978 Edi-2, entitled, "Administration", Article 1, -1, and amendments thereto, Baltimore laryland, proposes to grant and convey fen Terace Partnership at and for the 1,220,00 cesh, jula costs, the hereinsfler 1 fee simple properly which has been as no longer needed for public use, a percel of ground situated on the side of Palocaised Millord MB Road west stown Road containing 659 aquere feet w), more or less, as shown crosentatch-ficuled "AREA TO BE RELEASEO" on timent of Public Works, Bureau of Land in Drawing No. SP 3-091-1. OWNER'S SALE FOR SALE building paunit may be issued within the thirty (30 day appeal period. The Zoning Commissioner will however, entertain any request for a stay of the BY OWNER Rockland Run Condo received in this office by the date of the hearing set above or presented at the hearing. Newly renovated, 2 BR, 2 bath, With fireplace, lots of extras, ZONING COMMISSIONES OF BALTIMORE COUNT pool and tennis. 484-7551 FOR SALE

> BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your petition has been received and accepted for filing this

Petitioner Michael A. Sichel. et Received by: James E. Dyer Petitioner's

31st day of May , 19 89

Baltimore County Fire Department 800 York Road Towson, Maryland 21204-2586 (301) 887-4500 Paul H. Reincke

90-37-A

June 1, 1989

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building

Towson, MD 21204 Michael A. Sichel

RE: Property Owner: S side of Pleasant Grove Road, 700' of Old Location: Hanover

Item No.:

Zoning Agenda: May 30, 1989

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property. 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Catt Joseph Land Approved Fire Prevention Bureau Special Inspection Division

JK/ker

Project SICHEL DECK Project No. VARIANCE Drawing No. 1 Scale 1"=40'-0" Date 5/10/89 REVISED 9-7-89

> BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner

DATE: July 26, 1989

Pat Keller, Deputy Director Office of Planning and Zoning

Michael Sichel, Item 492 SUBJECT: Zoning Petition No. 90-37-A

The petitioner requests a variance to permit a side yard setback of 14 feet in lieu of the required setback of 35 feet. In reference to this request, staff offers the following comments:

The lot is less than one acre and the proposed 16'x20' deck appears to be an addition which compromises the carrying capacity of the site. In addition, existing trees should be retained where possible.

Baltimore County
Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

Mr. J. Robert Haines

Zoning Commissioner

County Office Building

June 6, 1989



Towson, Maryland 21204

The Bureau of Traffic Engineering has no comments for items number 487, 488, 489, 491, 492; 494, 495, 496, 497, 498, and 499.

> Very truly yours, Michael S. Flanigan Traffic Engineer Assoc. II

MSF/lvw

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Zoning Item # 492, Zoning Advisor ONING OFFICE May 30, 1989

Property Owner: Michael A. Sichel et IIX

Location: 4923 Pleasant Grove Read

District: Water Supply: private Sewage Disposal: private . COMMENTS ARE AS FOLLOWS: () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL

Zoning Commissioner

County Office Building

Towson, Maryland 21204

Office of Planning and Zoning

for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval. () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality

Management, 887-3775, to obtain requirements for such installation(s) before work begins. () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or

process which exhausts into the atmosphere. () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation

which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination

of waste oil must be in accordance with the State Department of the Environment. () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestoes, 887-3775. () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.

() Soil percolation tests, have been ____, must be ____, conducted.
() The results are valid until _____.

() Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () is not acceptable and must be retested. This must be accomplished prior to conveyance of property

and approval of Building Permit Applications. () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacterio

logical and chemical water samples. () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental

Effects Report must be submitted. For more information contact the Division of Environmental Management In order to subdivide this property, the owner or developer will be required to comply with the subdivision

regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762. Others Adequate distance must be maintained between

existing well and proposed additions to allow for necessary access and maintenance to well.